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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/775,038

Filing Date

February 9, 2004

First Named Inventor

Todd F. Ovokaitys

Art Unit

3739

Examiner Name

Unknown

Attorney Docket Number

2827.GEMA.CIP

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

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Landscape Table on CD

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After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

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Remarks

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

BATEMAN IP LAW GROUP

Signature

Printed name

Randall B. Bateman

Date

Oct. 10, 2006

Reg. No.

37,774

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Todd F. Ovokaitys  
SERIAL NO.: 10/775,038  
FILING DATE: February 9, 2004  
TITLE: ENHANCED BIOAVAILABILITY  
OF NUTRIENTS,...  
ART UNIT: 3739  
EXAMINER: Unknown  
DOCKET NO.: 2827.GEMA.CIP

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Mail Stop Amendment, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

*Randall B. Bateman*  
Randall B. Bateman

*Oct. 10, 2006*  
Date of Deposit

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO/SB/08A, substitute for form PTO/1449, which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491 or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO/SB/08A be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

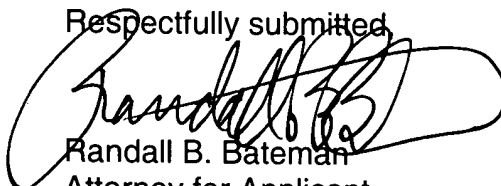
Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed foreign reference or relevant portion thereof is also enclosed. Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

Please charge any additional fees or credit any overpayment to Deposit Account No. 502720.

DATED this 10<sup>th</sup> day of October, 2006.

Respectfully submitted,



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Substitute for form 1449/PTO

**Complete if Known**

(Use as many sheets as necessary)

Sheet

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of

1

Application Number	10/775,038
Filing Date	February 9, 2004
First Named Inventor	Todd F. Ovokaity
Art Unit	3739
Examiner Name	Unknown
Attorney Docket Number	2827.GEMA.CIP

## U. S. PATENT DOCUMENTS

**FOREIGN PATENT DOCUMENTS**

Examiner  
Signature

Date \_\_\_\_\_

**Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language. Translation is attached.

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